

PUBLIC CHAPTER NO. 128

SENATE BILL NO. 1190

By Black, Marrero

Substituted for: House Bill No. 914

By Maggart, McDonald, Lynn, Sontany, Odom, Todd

AN ACT to amend Tennessee Code Annotated, Title 39, Chapter 14, Part 2, relative to the posting of security in animal abuse prosecutions.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 39-14-210, is amended by inserting the following language between the first and second sentences of subsection (g) of the amendatory language of Section 1:

However, if the court determines that a person from whom the posting of security has been requested is indigent pursuant to title 40, chapter 14, part 2, the court may suspend the posting of any security pending the disposition of the criminal charges.

SECTION 2. Tennessee Code Annotated, Section 39-14-210, is amended by inserting the following between the fifth and sixth sentence of subsection (g):

If the person from whom the animal is seized is the owner of the animal and such person has not posted the security ordered pursuant to this subsection within fifteen (15) business days following the issuance of a security order, the animal shall be deemed to have been abandoned and shall be forfeited to the governmental animal control agency or humane society for disposition in accordance with reasonable practices for the humane treatment of animals. However, if the person from whom the animal was seized is not the owner of the animal and such person has not posted the court-ordered security within fifteen (15) days, the court shall order the governmental animal control agency or the humane society to make all reasonable efforts to determine who the owner of the animal is and to notify such owner of the pending proceeding. No animal shall be deemed to have been abandoned and forfeited to the governmental animal control agency or humane society until reasonable attempts to determine and notify the owner have been made. If the owner of the animal cannot be located after reasonable efforts or the owner is located and notified but does not post, within ten (10) business days, the court-ordered security plus the costs reasonably incurred by the governmental animal control agency or humane society for housing and caring for the animal since its seizure, the animal shall be deemed to have been abandoned and shall be forfeited to the governmental animal

control agency or humane society for disposition in accordance with reasonable practices for the humane treatment of animals.

SECTION 3. This act shall take effect July 1, 2007, the public welfare requiring it.

PASSED: April 30, 2007



RON RAMSEY, SPEAKER
SENATE OF THE SENATE



JIMMY NAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES

APPROVED this 10th day of May 2007



PHIL BREDESEN, GOVERNOR